



February 1, 2002

SENATE BILL No. 426

DIGEST OF SB 426 (Updated January 30, 2002 1:44 PM - DI 105)

Citations Affected: IC 35-50.

Synopsis: Death penalty. Provides that an individual less than 18 years of age may not receive a sentence of death.

Effective: July 1, 2002.

Bowser, Clark, Rogers, Broden

January 10, 2002, read first time and referred to Committee on Judiciary.
January 31, 2002, amended, reported favorably — Do Pass.

C
o
p
y

SB 426—LS 6831/DI 106+



February 1, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 426

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-50-2-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 3. (a) A person who
3 commits murder shall be imprisoned for a fixed term of fifty-five (55)
4 years, with not more than ten (10) years added for aggravating
5 circumstances or not more than ten (10) years subtracted for mitigating
6 circumstance; in addition, the person may be fined not more than ten
7 thousand dollars (\$10,000).
8 (b) Notwithstanding subsection (a), a person who was:
9 (1) at least ~~sixteen (16)~~ **eighteen (18)** years of age at the time the
10 murder was committed may be sentenced to:
11 (1) ~~(A)~~ **(A)** death; or
12 (2) ~~(B)~~ **(B)** life imprisonment without parole; **and**
13 (2) at least sixteen (16) years of age but less than eighteen (18)
14 years of age at the time the murder was committed may be
15 sentenced to life imprisonment without parole;
16 under section 9 of this chapter unless a court determines under
17 IC 35-36-9 that the person is a mentally retarded individual.

SB 426—LS 6831/DI 106+



SENATE MOTION

Mr. President: I move that Senator Rogers be added as coauthor of Senate Bill 426.

BOWSER

SENATE MOTION

Mr. President: I move that Senator Broden be added as coauthor of Senate Bill 426.

BOWSER

SENATE MOTION

Mr. President: I move that Senator Clark be added as second author of Senate Bill 426.

BOWSER

C
o
p
y



COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 426, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 5.

Page 3, delete lines 23 through 42.

Delete pages 4 through 8.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 426 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 7, Nays 2.

C
o
p
y

